

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
)
v.) CASE NO. 06CR285-WKW
)
)
DARRYL ANDRE KENNEDY)

ORDER

This matter is before the court on the following motions filed by the plaintiff on February 15, 2007: (1) Motion to Suppress Evidence (Doc. #11) and (2) Motion to Discover Criminal Records of Witnesses (Doc. #13). In addition, there is a Motion to Continue and Waiver of Speedy Trial (Doc. #10), which Motion will be addressed by the District Judge assigned to this case.

On January 8, 2007, this Court entered an Order on Arraignment which instructed the government to tender initial disclosures to the defendant on or before January 12, 2007. Therefore, it is

ORDERED that the government shall respond to the discovery motion by February 23, 2007, as to why they did not produce the requested documents to defendant. Please note that attached to the Order on Arraignment is this Court's Standing Order on Criminal Discovery which provides that defendant confer with opposing counsel prior to filing the motion, and "no motion will be considered by the court unless it is accompanied by a certification of such conference and a statement of the moving party's good faith efforts to resolve the subject matter of the motion by agreement with opposing counsel."

As to the Motion to Suppress Evidence, it is

ORDERED that a hearing be set for March 21, 2007, at 9:00 a.m. in Courtroom 5A, Frank M. Johnson, Jr., United States Courthouse Complex, One Church Street, Montgomery, Alabama. It is further

ORDERED that the government should file a Response to the Defendant's Motion to Suppress Evidence on or before March 8, 2007. It is further

ORDERED the clerk of the Court is directed to provide a court reporter for the hearing on March 21, 2007.

DONE this 20th day of February, 2007.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE